

IN THE BOARD OF SUPERVISORS

COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

.....day, 20.....

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION OF FINDINGS CONCERNING USE OF PARKS PUBLIC FACILITY FEES TO FUND ACQUISITION OF PISMO PRESERVE

The following resolution is hereby offered and read:

WHEREAS, Land Conservancy of San Luis Obispo, Inc., is a non-profit corporation serving our County for over twenty-five years; and

WHEREAS, Land Conservancy of San Luis Obispo, Inc. has partnered with the County to improve the Bob Jones Pathway and Octagon Barn Trailhead; and

WHEREAS, Land Conservancy of San Luis Obispo, Inc. has since 1984, conserved over 14,700 acres of open space and farm land; and

WHEREAS, Land Conservancy of San Luis Obispo, Inc.'s mission is to permanently protect and enhance lands having important scenic, agricultural, habitat and cultural values for the benefit of people and wildlife; and

WHEREAS, Land Conservancy of San Luis Obispo, Inc. has entered into a land purchase agreement for the 900 acre Pismo Preserve with the assistance of private funding and State and local agencies funding; and

WHEREAS Land Conservancy of San Luis Obispo, Inc. has requested \$1,000,000 of Parks Public Facility Fees to combine with private and public agencies' contributions for acquisition of Pismo Preserve for public park purposes to serve the subdivisions from which the fees were derived and residents and visitors of the County; and

WHEREAS, Land Conservancy of San Luis Obispo, Inc. has committed to providing for the ongoing programming, administration and maintenance needs of the Pismo Preserve at no cost to the County; and

WHEREAS, Policy 3.3 of the Parks and Recreation Element of the San Luis Obispo County General Plan directs staff to seek “joint use agreements, volunteer and other partnership opportunities to augment recreational services and reduce project costs;” and

WHEREAS, County Code section 18.01.010 et seq. specify that Public Facility Fees are to be used for the construction, expansion or improvement of public facilities, which includes parks and recreation facilities; and

WHEREAS: the County has sufficient undesignated funds available in the Parks Public Facility Fees account to contribute to this project; and

WHEREAS, the San Luis Obispo County Parks and Recreation Commission on April 24, 2014 unanimously supported the designation of \$1,100,000 of Park Public Facility Fees (\$100,000 more than the amount requested by the Land Conservancy of San Luis Obispo, Inc.) to assist with the funding of the acquisition of Pismo Preserve.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California as follows:

1. Park Public Facilities Fees are appropriate for the funding of the acquisition of the Pismo Preserve Property.
2. Funding for the acquisition of the Pismo Preserve Property is added to the Public Facilities Financing Plan for Parks and such funds are appropriated for that project.
3. Park Public Facility Fee funding for said project is established and not to exceed \$1,000,000 is allocated from the Park Public Facility Fees fund.
4. The County General Services Agency Director is delegated authority to enter into a written agreement between the County General Services Agency and Land Conservancy of San Luis Obispo, Inc. for management of the project. The agreement shall be in a form approved by County Counsel and shall include provisions ensuring that all relevant and applicable laws and codes are followed including but not limited to those pertaining to disbursing funds consistent with this purpose.
5. The project will be completed no later than twelve months following execution of the written agreement specified in paragraph 4 above.

Upon Motion of Supervisor _____, seconded by Supervisor _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing Resolution is hereby adopted.

Chairperson of the Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

RITA L. NEAL
County Counsel

By: Sharon G. Matuszewicz
Deputy County Counsel

Dated: April 28, 2014